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In Re the Application of:

ATKINSON et al.

Serial No.: 09/505,209

Filed: February 16, 2000

Atty. File No.: 2265-11-1

For: "DEVICE AND METHOD FOR
REGENERATION AND REPAIR
OF CARTILAGE LESIONS"

Commissioner for Patents
Washington, D.C. 20231

Group Art Unit: 1632

Examiner: Baker, Anne-Marie

AMENDMENT AND RESPONSE

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
BEING DEPOSITED WITH THE UNITED STATES POSTAL
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ADDRESSED TO THE ASSISTANT COMMISSIONER/FOR
PATENTS, WASHINGTON, DC 20231 ON 3/19/02
SHERIDAN ROSS P.C.

BY: *[Signature]*

Dear Sir:

This Amendment and Response is filed in response to a non-final Office Action having a mailing date of December 19, 2001. This response is believed to be timely and therefore, no fees are enclosed. In the event that fees are due in connection with this response, please debit Deposit Account No. 19-1970.

Please amend and reconsider the above-identified patent application as follows.

IN THE CLAIMS:

Please amend Claims 11, 21 and 40 as follows, without prejudice to or disclaimer of the subject matter therein.

B1 31. (Twice Amended) The product of Claim 1, wherein said mixture of proteins further comprises TGFβ2, TGFβ3, BMP-4, BMP-5, BMP-6, cartilage-derived morphogenetic protein (CDMP), FGF-I, osteocalcin, osteonectin, BSP, lysyloxidase, cathepsin L pre, albumin, transferrin, Apo A1 LP and Factor XIIIb.

B2 42. (Once Amended) The product of Claim 3, wherein said BMP protein is selected from the group consisting of BMP-2, BMP-3, BMP-4, BMP-5, BMP-6, BMP-7, BMP-8, BMP-9 and cartilage-derived morphogenetic protein (CDMP).

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